



2015 01708740
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#122-15

CITY OF NEWTON

IN BOARD OF ALDERMEN

July 13, 2015

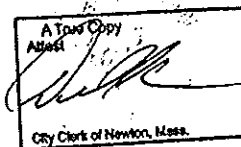
ORDERED:

That the Board, finding that the public convenience and welfare will be substantially served by its action, that the use of the site will be in harmony with the conditions, safeguards and limitations set forth in the Zoning Ordinance, and that said action will be without substantial detriment to the public good, and without substantially derogating from the intent or purpose of the Zoning Ordinance, grants approval of the following SPECIAL PERMIT/SITE PLAN APPROVAL and EXTENSION OF A NONCONFORMING STRUCTURE to construct a two-car garage and mudroom, which further exceeds the maximum allowable Floor Area Ratio, as recommended by the Land Use Committee for the reasons given by the Committee through its Chairman, Alderman Marc Laredo:

1. The proposed Floor Area Ratio (FAR) of .40, where .33 is the maximum allowed by right and .35 exists, is consistent with and not in derogation of the size, scale, and design of other structures in the neighborhood. The existing structure is a 2½-story single-family dwelling on a lot consisting of 15,187 square feet with a gross floor area of 5,326 square feet (.35 FAR). The proposed attached garage and mudroom will increase the gross floor area by approximately 676 square feet (12%) to 6,002 square feet (.40 FAR), exceeding the allowable FAR by approximately 990 square feet. (§30-15 Table A and §30-15(u)(2))
2. The proposed addition, which will match the materials and design of the existing structure, is not substantially more detrimental than the existing nonconforming structure is to the neighborhood. (§30-21(b))
3. The site is an appropriate location for the proposed attached garage and mudroom. The proposed garage will be accessed by a new driveway, which will eliminate the need for the subject property owner to use the existing shared driveway. (§30-24(d)(1))
4. The addition of a two-car garage and mudroom will not adversely affect the neighborhood. (§30-24(d)(2))
5. The addition of a two-car garage will not create a serious nuisance or hazard to vehicles or pedestrians, as the proposed access will be from a mostly residential side street and will reduce the number of vehicles utilizing the shared driveway. (§30-24(d)(3))

PETITION NUMBER: #122-15

PETITIONER: Allison Avramovich



259174

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LOCATION: 1005 Centre Street, on land known as Section 13, Block 32, Lot 14, containing approx. 15,187 square feet of land

OWNER: Avrali Investment, LLC

ADDRESS OF OWNER: 1005 Centre Street
Newton, MA 02459

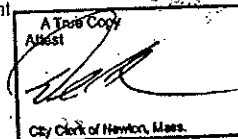
TO BE USED FOR: Single-family dwelling

EXPLANATORY NOTES: §30-15 Table A, §30-15(u)(2), and §30-21(b), to further exceed maximum allowed FAR.

ZONING: Single Residence 2 district

Approved subject to the following conditions:

1. All buildings, parking areas, driveways, walkways, landscaping and other site features associated with this Special Permit/Site Plan Approval shall be located and constructed consistent with:
 - a. Proposed Site Plan, prepared, signed, and stamped by Peter J. Nolan, Professional Land Surveyor, dated February 18, 2015.
 - b. Floor Plans and Elevations, prepared by Visionary Design Services, dated May 18, 2014, stamped by Richard A. Volkin, Professional Engineer, on September 2, 2014, containing the following eight (8) sheets:
 - i. S-1 – Foundation and Basement Plan;
 - ii. A-1 – First Floor Plan;
 - iii. A-2 – Second Floor Plan;
 - iv. A-3 – Attic Floor Plan;
 - v. A-4 – Front Elevation;
 - vi. A-5 – Right Side Elevation;
 - vii. A-6 – Left Side Elevation; and
 - viii. A-7 – Rear Elevation.
2. Prior to the issuance of a building permit the petitioner shall submit final Engineering Plans to the City Engineer for review and approval.
3. No Building Permit shall be issued pursuant to this Special Permit/Site Plan Approval until the petitioner has:
 - a. Recorded a certified copy of this Board Order for the approved Special Permit/Site Plan Approval with the Registry of Deeds for the Southern District of Middlesex County.
 - b. Filed a copy of such recorded Board Order with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development.




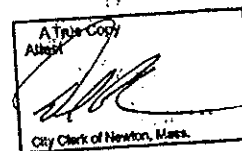
- c. Filed with the City Clerk, the Commissioner of Inspectional Services, and the Department of Planning and Development, a statement from the Engineering Division approving the final site plan.
 - d. Obtained a written statement from the Planning Department that confirms the Building Permit plans are consistent with plans approved in Condition #1.
4. No Final Inspection/Occupancy Permit for this Special Permit/Site Plan Approval shall be issued until the petitioner has:
- a. Filed with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development a statement by a registered architect or engineer certifying compliance with Condition #1.
 - b. Submitted to the Commissioner of Inspectional Services and City Engineer, and the Department of Planning and Development, final as-built plans in paper and digital format signed and stamped by a licensed land surveyor.
 - c. Filed with the City Clerk and the Department of Inspectional Services a statement by the Director of Planning and Development approving final location, number and type of plant materials, and final landscape features.
5. Notwithstanding the provisions of Condition #4c. above, the Commissioner of Inspectional Services may issue one or more certificates of temporary occupancy for all or portions of the buildings prior to installation of final landscaping provide that the petitioner shall first have filed a bond, letter of credit, cash or other security in the form satisfactory to the Director of Planning and Development in an amount not less than 135% of the value of the aforementioned remaining landscaping to secure installation of such landscaping.

Under Suspension of Rules
Readings Waived and Approved
21 yeas 0 nays 3 absent (Aldermen Ciccone, Lipof, and Sangiolo)

The undersigned hereby certifies that the foregoing copy of the decision of the Board of Aldermen granting a SPECIAL PERMIT/SITE PLAN APPROVAL is a true accurate copy of said decision, the original of which having been filed with the CITY CLERK on July 20, 2015. The undersigned further certifies that all statutory requirements for the issuance of such SPECIAL PERMIT/SITE PLAN APPROVAL have been complied with and that all plans referred to in the decision have been filed with the City Clerk.

ATTEST:


(SGD) DAVID A. OLSON, City Clerk
Clerk of the Board of Aldermen

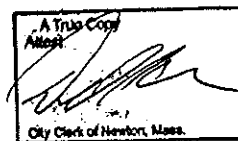


I, David A. Olson, as the Clerk of the Board of Aldermen and keeper of its records and as the City Clerk and official keeper of the records of the CITY OF NEWTON, hereby certify that Twenty days have elapsed since the filing of the foregoing decision of the Board of Aldermen in the Office of the City Clerk on 7/2, and that NO APPEAL, to said decision pursuant to G.L. c. 40A, §17 has been filed thereto.

ATTEST:



(SGD) DAVID A. OLSON, City Clerk
Clerk of the Board of Aldermen



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Doc 01708740

Southern Middlesex Land Court
Norfolk County District

RECEIVED FOR REGISTRATION

On: Aug 25, 2015 at 11:13A

Document Fee 75.00

Receipt Total: \$75.00

NOTED ON: CERT 259174 BK 01470 PG 62

ALSO NOTED ON:

ROSEMBLUM
NAME
STREET
CITY CO